

STATE OF NEW MEXICO

IN THE DISTRICT COURT
COUNTY OF DONA ANA
STATE OF NEW MEXICO

v.

NAME: Mark Aaron Staake
ADDRESS: 636 Morris St. NE, Apt. A
CITY, STATE, ZIP: Albuquerque, NM 87123
D.O.B. 7/71
S.S.N.
OLN: NM
HAIR: Blonde
EYES: Blue
HEIGHT: 6'01"
WEIGHT: 190 lbs.

AFFIDAVIT FOR ARREST WARRANT

The undersigned, being duly sworn, on his oath, states that he has reason to believe that on or about or around or between the dates of November 14, 2012 and November 20, 2012; in the County of Dona Ana, State of New Mexico, the above-named defendant(s) did commit the crime(s) of:

COUNT I: CONSPIRACY TO COMMIT MURDER did knowingly combine with Dana Martin and Tanner Ruane, or another, for the purpose of committing first degree murder, a capital felony, within or without this state, contrary to NMSA 1978, §§ 30-28-2 & 30-2-1.A.1. (a 2nd degree felony)

COUNT II: CONSPIRACY TO COMMIT MURDER did knowingly combine with Dana Martin and Tanner Ruane, or another, for the purpose of committing first degree murder, a capital felony, within or without this state, contrary to NMSA 1978, §§ 30-28-2 & 30-2-1.A.1. (a 2nd degree felony)

COUNT III: CONSPIRACY TO COMMIT AGGRAVATED BATTERY did knowingly combine with Dana Martin and Tanner Ruane, or another, for the purpose of committing aggravated battery with a deadly weapon, a third degree felony, within or without this state, contrary to NMSA 1978, §§ 30-28-2 & 30-3-5.C. (a 4th degree felony)

COUNT IV: CONSPIRACY TO COMMIT AGGRAVATED BATTERY did knowingly combine with Dana Martin and Tanner Ruane, or another, for the purpose of committing aggravated battery with a deadly weapon, a third degree felony, within or without this state, contrary to NMSA 1978, §§ 30-28-2 & 30-3-5.C. (a 4th degree felony)

The undersigned further stated the following facts on oath to establish probable cause to believe that the above-named defendant(s) committed the crime(s) charged:

On Monday, November 20, 2012 at approximately 0930 hours I was assigned by New Mexico State Police (NMSP) Sergeant Felipe Gonzalez to investigate allegations of multiple counts of conspiracy to commit first degree murder. Sergeant Gonzalez had received information from Southern New Mexico Corrections Facility (SNMCF) Corrections Sergeant Edgar Pinon pertaining to an apparent conspiracy to murder two individuals in the state of Vermont. NMSP Agent Ricky Herrera and I travelled to SNMCF to speak with Sergeant Pinon regarding the matter.

Sergeant Pinon stated he had talked with a current SNMCF inmate named Dana Martin (hereafter referred to as Mr. Martin). Mr. Martin is incarcerated on consecutive life sentences for his participation in a murder that occurred in the state of Vermont in 2000. Mr. Martin requested to speak with Sergeant Pinon and stated that he believed there were two male individuals on their way to Vermont to commit two murders. Mr. Martin continued that Mark Staake (afterwards Mr. Staake) and his nephew, Tanner Ruane (afterwards Mr. Ruane), had left Albuquerque, New Mexico on, about or around Wednesday, November 14, 2012 and travelled to Vermont with the intent to murder P.L. and M.S. (afterwards Victims 1 and 2 respectively in order to protect their identities). Mr.

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Martin had previously spoken with Mr. Staake while Mr. Staake was an inmate at SNMCF about executing the murders of Victim's 1 and 2 in addition to cutting off the testicles of both male victims. Accordingly, Mr. Staake and Mr. Ruane travelled to the state of Vermont.

Mr. Staake and Mr. Ruane arrived in Vermont on, about or around Sunday, November 19, 2012. Mr. Staake and Mr. Ruane missed the final exit that would prevent them from travelling into Canada and, consequently, had to turn around and join vehicle traffic that was passing through the Highgate Springs, Vermont Point of Entry (POE). Upon their contact with U.S. Border Patrol Agent Lonnie Barriere, Mr. Staake was found to have an outstanding warrant out of New Mexico. Queries were made and Mr. Staake was ultimately taken into custody on a probation violation bench warrant. Mr. Ruane was released along with the vehicle he and Mr. Staake were driving, a 1983 blue/gray BMW passenger vehicle bearing NM registration plate MGX360.

In a SNMCF monitored/recorded call from Mr. Martin to Mr. Ruane (505.803.3873) made on November 19, 2012, reference was made to Mr. Staake being taken into custody and that Mr. Ruane did not want to "move it forward" without Mr. Staake because it was his (Mr. Staake's) "deal." Later in the same conversation, the name of Victim 2 was expressly mentioned as was the understanding that he was currently living at his last known residence. When told by Mr. Martin that "it's gonna end here," Mr. Ruane stated, "Fuck! Dude, this pisses me off so bad, Brother! I wanted this shit to go down so bad." Mr. Ruane stated he was ready and that he and Mr. Staake were there at "Ground Zero" the previous night. I later learned from Mr. Martin that "Ground Zero" was a code word for Victim 2's residence. Also in the phone conversation, Mr. Ruane stated he only knew what the victim(s) looked like and knew about the location(s) and that was all. Further in the phone conversation, Mr. Ruane stated he was hopeful to be able finish the job, which was, as Mr. Ruane put it, "adopting these dogs." I later learned from Mr. Martin that references to dogs were code references for the victims. Mr. Martin confirmed that the "dogs" would be castrated too, and Mr. Ruane not only agreed, but stated he himself was the one who was going to do the castrating. Reference was also made to the method of killing, which was the use of a neck tie, similar to the way in which Mr. Martin killed his victim(s). When asked by Mr. Martin if Mr. Ruane had neckties with him, Mr. Ruane stated he was planning on buying ties while he and his uncle were in the area. When Mr. Martin asked what Mr. Staake had bought to castrate the victims, Mr. Ruane stated that he had bought a pair of hand(held) hedge clippers. Furthermore, in response to Mr. Staake's reluctance to follow through with the castrations, Mr. Ruane stated he was going to do it and get "five large for each one I get." Mr. Martin confirmed that Mr. Ruane was going to get \$2,500.00 per testicle. Throughout the conversation Mr. Ruane stated he and Mr. Staake had the heart to do the job, were upset that they could not (due to Mr. Staake's incarceration) and hoped Mr. Martin would keep the job open for them. Towards the end of the conversation, Mr. Martin stated that Victim 1 and Victim 2 "don't know how fucking lucky they got."

In a subsequent recorded phone conversation, while Mr. Ruane was waiting for money at a Pilot Truck Stop in Rotterdam, NY, Mr. Martin revisited the subject of castration. The clippers were described by Mr. Ruane as being handheld clippers (for "like trimming . . . roses"). Mr. Ruane reiterated that it was his idea to use the clippers. The type or brand of clippers was "Durasharp." Mr. Martin asked if they had bags to put the testicles in, and Mr. Ruane stated that he had something. Mr. Martin suggested hiding them somewhere, such as the engine compartment, so as to avoid detection should they get pulled over. Reference was then made to the type of neck tie that needed to be used. Mr. Martin stated that a paisley tie needed to be used because that was what he (Mr. Martin) had used previously. Mr. Ruane stated that Mr. Staake was going to "handle the whole putting down of the 'dogs' and a I (Mr. Ruane) was going to go 'Snip, Snip.'" Mr. Martin confirmed that Mr. Staake was going to kill the "pit bulls" and Mr. Ruane was going to castrate. Reference was then made to the method of strangulation. Mr. Martin and Mr. Ruane talked about what happened when a person was strangled. Mr. Martin stated that it took about fifteen minutes to kill a person by strangulation and that Mr. Ruane would know the victim was dead when the victim "pooped." Reference was then made to the items that were sold to obtain gas money to drive to Vermont. Mr. Ruane stated he sold his gun, X-Box and T.V. to get the money to travel on since Mr. Staake had nothing because Mr. Staake just was released from prison. As with the previous conversation, multiple references were made to how badly Mr. Ruane felt he and Mr. Staake could not finish the job.

An arrest warrant for Mr. Ruane was drafted and signed on Tuesday, November 20, 2012 based on the above-described information. Subsequently, New York State Police (NYSP) served the warrant upon Mr. Ruane. NYSP investigators then drafted and executed a search warrant on the above-described BMW passenger car. Among the items located in the vehicle were a pair of Fiskars Durasharp pruning shears and information pertaining to the last-known locations of the intended victims (Victims 1 and 2). The intended victim information was located on correspondence from Mr. Martin to Mr. Staake. Also seized pursuant to the NYSP search warrant were other correspondances between Mr. Martin and Mr. Staake.

On Tuesday, November 20, 2012 Agent Herrera and I interviewed Mr. Martin at SNMCF. During the course of the interview, Mr. Martin was able to further explain the plot and its planning. Mr. Martin stated that Victims 1 and 2 were not the ultimate targets in the plot. Mr. Martin indicated that their ultimate target was J.B. (afterwards Victim 3 to protect the identity). Mr. Martin also stated that Victim 3 had a personal body guard, M.B. (afterwards Victim 4 to protect the identity), so necessarily, Victim 4 would need to be killed in order to effect the killing of Victim 3. When asked to explain the why Victim 3 was to be killed, Mr. Martin stated that Victim 3 has a measure of fame and that he (Mr. Martin) had become infatuated with Victim 3. This infatuation was exemplified by

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the tattooing of an image of Victim 3 on Mr. Martin's leg. Mr. Martin stated that he had attempted to solicit correspondence on numerous occasions between Victim 3 and him and Victim 3 never returned in kind. This perceived slight made Mr. Martin upset and that, coupled with Mr. Martin's perception of being a "nobody" in prison, led him to begin plotting the kidnap and murder of Victim 3. In the end, what Mr. Martin stated he was seeking was a measure of notoriety so that there would be people outside of prison who would know who he (Mr. Martin) was.

Mr. Martin explained that he was transferred from a correctional facility in Florida to SNMCF in April, 2012. Shortly after his arrival at SNMCF, he made the acquaintance of another inmate, Mr. Staake. Eventually, comment was made concerning the large tattoo of Victim 3 on Mr. Martin's leg, and Mr. Martin convinced Mr. Staake to participate in his (Mr. Martin) plans for Victim 3. Once convinced, Mr. Staake indicated to Mr. Martin that he wanted to bring his nephew, Mr. Ruane, into the deal as Mr. Ruane was his "right hand man." Mr. Martin agreed to Mr. Ruane's inclusion. When asked how he was able to convince Mr. Staake to participate, Mr. Martin stated that he (Mr. Martin) was a very good manipulator. Mr. Martin was able to convince Mr. Staake that he (Mr. Martin) had access to large amounts of money (regardless of the fact he was in prison). As part of his ruse, Mr. Martin stated that he convinced Mr. Martin that the Lottery Hill Farm in Vermont, a multi-million dollar historical home and property, was family property. Lottery Hill Farm factored into the plans as a place Mr. Staake and Mr. Ruane would be able to go to hide out after the crimes were committed. Among the items located in the search warrant obtained by NYSP investigators was a hand drawn map/diagram of Lottery Hill Farm that Mr. Martin provided to Mr. Staake. Mr. Martin also explained that he convinced Mr. Staake that he (Mr. Martin) had connections high up in a Chinese gang from New York. This was ostensibly evidenced by multiple Asian-style tattoos that Mr. Martin had on his body. Mr. Martin was able to convince Mr. Staake that the murders were sanctioned by the Chinese gang and would put him (Mr. Staake) in good standing with the Gang. Among the items recovered in the NYSP search warrant was a correspondence from Mr. Martin to Mr. Staake which had the following written at the top: "BY ORDER: Hip Sing Assoc., 16 Pell St. NY, NY 10013." Further in the document was personal information pertaining to Victim 2.

Mr. Martin indicated Mr. Staake was released on probation on, about or around October 22, 2012. While out, Mr. Staake had agreed to track the locations where Victim 3 was scheduled to travel and plan accordingly to facilitate Mr. Martin and his plans. Mr. Martin indicated that there was correspondence between him and Mr. Staake through telephonic and/or written means. Furthermore, I learned through my investigation that Mr. Staake's probation officer attempted to contact Mr. Staake by means of a personal cell phone number, but was unable to reach him. According to Mr. Martin, Mr. Staake learned that Victim 3 was supposed to be in New York City, New York on, about or around the middle to end of November, 2012. Victim 3 has obtained a measure of national if not global notoriety and Victim 3's appearances are easily tracked via internet searches. By travelling to Vermont and committing the torture/murders of Victims 1 and 2, Mr. Staake and Mr. Ruane would be well-positioned to travel immediately into New York, locate Victims 3 and 4 and carry out the murder of Victim 4 and abduction/murder of Victim 3. Mr. Staake and Mr. Ruane left Albuquerque, New Mexico on, about or around November 14, 2012 en route to Vermont. Mr. Martin tracked their progress and provided law enforcement a hand-drawn United States map showing Mr. Staake and Mr. Ruane's approximate locations at certain dates and times along the trip. Mr. Martin was in contact with Mr. Staake and Mr. Ruane via phone conversation at points along the way.

Subscribed and sworn to before
Me in the above-named county
of the State of New Mexico this ____ day
of _____, 20_____.

Judge, Magistrate, Notary or Other Officer
Authorized to Administer Oaths

Clinton J. Norris
Affiant's Name

Signature of Affiant

Agent, New Mexico State Police
Official Title

Assistant District Attorney

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COUNTY OF DONA ANA
STATE OF NEW MEXICO

No.

v.

NAME: Mark Aaron Staake
ADDRESS: 636 Morris St. NE, Apt A
CITY, STATE, ZIP: Albuquerque, NM 87123
D.O.B. 9/17/1971
S.S.N. 525-59-5973
OLN: NM - 032872875
HAIR: Blonde
EYES: Blue
HEIGHT: 6'01"
WEIGHT: 190 lbs.

WARRANT FOR ARREST

THE STATE OF NEW MEXICO
TO ANY OFFICER AUTHORIZED TO EXECUTE THIS WARRANT:

BASED ON A FINDING OF PROBABLE CAUSE, YOU ARE HEREBY COMMANDED to arrest the above-named defendant and bring the defendant without unnecessary delay before me to answer the charges of: (here state common name and description of offense charged)

Count 1: CONSPIRACY TO COMMIT FIRST DEGREE MURDER

Count 2: CONSPIRACY TO COMMIT FIRST DEGREE MURDER

Count 3: CONSPIRACY TO COMMIT AGGRAVATED BATTERY WITH A DEADLY WEAPON

Count 4: CONSPIRACY TO COMMIT AGGRAVATED BATTERY WITH A DEADLY WEAPON

Contrary to Sections: 30-28-2 (30-2-1.A.1); 30-28-2 (30-2-1.A.1); 30-28-2 (30-3-5.C); 30-28-2 (30-3-5.C)

THIS WARRANT MAY BE EXECUTED:

☐ in any jurisdiction;

☐ anywhere in this state;

☐ anywhere in this county;

☐ anywhere in this city.

The person obtaining this warrant shall cause it to be entered into a law enforcement information system:

☐ maintained by the state police.

☐ _____ (other law enforcement information system)

Bond: \$ _____

Date

Judge

An Arrest Warrant may be directed to a full – time salaried state or county law enforcement officer, a municipal police officer, a campus security officer, or an Indian tribal or pueblo law enforcement officer.

If the judge is unavailable, defendant must be brought forthwith before designee for setting of conditions of release. A defendant accused of a bailable offense may not be held without the setting of conditions of release. (Rules 6-401, 8-401.)

RETURN WHERE DEFENANT IS FOUND

I arrested the above-named defendant on the ____ day of _____, 20____, and served a copy of this warrant on the ____ day of _____, 20____.

Signature

Title

Distribution Instructions

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